

HOUSE No. 4675

The Commonwealth of Massachusetts

By Ms. Walz of Boston, for the committee on Education, on House, No. 415, a Bill relative to pricing for chapter 71b approved private school programs (House, No. 4675). May 13, 2010.

FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	8th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act relative to pricing for chapter 71B approved private school programs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law to the contrary, the division of purchased
2 services of the department of procurement shall promulgate rules and regulations relative to the
3 pricing of programs approved under chapter 71B of the General Laws for the purpose of
4 promoting recruitment and retention of all direct care staff and improving instructional resources.

5 Said rules and regulations shall include the following provisions:-

6 (a) the division shall establish a pricing mechanism, including eligibility and procedural
7 requirements, that allows approved programs to apply for salary and benefit increases for all
8 direct care staff including, but not limited to, teachers, related service staff, health care staff and
9 clinical staff to increase the rate of licensure and certification, as may be required by state or
10 federal law, and to decrease the rate of staff attrition and to ensure that benefits and salaries are
11 comparable to the benefits and salaries of similar employees in public schools or relevant
12 agencies of the commonwealth. Said salaries and benefits shall be prorated for the length of said
13 programs. The pricing mechanism shall also address department of elementary and secondary
14 education approved instructional resource upgrades;

15 (b) the department of elementary and secondary education shall, at the next evaluation of an
16 approved private special education program as required in section 3 of chapter 71B, review the
17 facilities, textbooks, equipment, technology, materials and supplies of the program necessary to
18 instruct students in the Massachusetts curriculum frameworks and recommend to the division
19 pricing adjustments to address needed instructional resource upgrades as determined by the
20 department; and

21 (c) the division's pricing mechanisms shall not be based upon non-commonwealth or prior year's
22 revenues. No mechanism established by the division shall delay a program price adjustment for
23 more than 90 days. Private special education programs must provide purchasers, the department
24 of elementary and secondary education and the operational services division with a notice of
25 intent to apply for salary and benefit upgrades by October 1 for the following fiscal year.